

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
KCX-1173 (19507)

First named inventor: Lewis, et al.

Application No.: 10/750,238

Art Unit: 3654

Filed: December 31, 2003

Examiner: Scott J. Haugland

Title: Apparatus and Method for Dispensing Sheet Material

Attention: Office of Petitions

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1540.00 (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in the form of Third Revised Appeal Brief (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_.
- ☒ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ \_\_\_\_\_.

- ☐ has been paid previously on \_\_\_\_\_.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

### 3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Steven R. W. Blum

**Signature**

November 6, 2007

Date \_\_\_\_\_

**Steven R. LeBlanc**

Typed or printed name

47,740

Registration Number, if applicable

POST OFFICE BOX 1449

### Address

864-271-1592

Telephone Number

**GREENVILLE, SOUTH CAROLINA 29602-1449**

## Address

Enclosures: ☒ Fee Payment

☐ Reply

## ☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: Third Revised Appeal Brief

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

Date \_\_\_\_\_

Signature

Typed or printed name of person signing certificate

ATTORNEY DOCKET NO.: KCX-1173 (19507)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lewis, et al.	)	Group Art Unit: 3654
	)	
Serial No: 10/750,238	)	Examiner: Scott J. Haugland
	)	
Filed: December 31, 2003	)	Our Client ID: 22827
	)	
Confirmation No: 8843	)	Our Account No: 04-1403
	)	
Title: Apparatus and Method for Dispensing Sheet Material	)	

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED**  
**UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a response/amendment/letter in the above-identified application and includes the herewith attachment of same date and subject which is incorporated hereinto by reference and the signature below is to be treated as the signature to the attachment in absence of a signature thereto.

Fee requirements (if any) have been calculated as shown below:

	Claims remaining after amendment		Highest number previously paid for		Present Extra		Additional Fee
Total Effective Claims	<u>37</u>	minus	<u>40</u>	=	<u>0</u>	X \$ 50	= \$ <u>0.00</u>
Independent Claims	<u>4</u>	minus	<u>4</u>	=	<u>0</u>	X \$ 210	= \$ <u>0.00</u>

If amendment enters proper multiple dependent claim(s) into this application  
for first time, add \$370.00 (per application) \$ 0.00

Since Official Action set an original due date of \_\_\_\_\_,  
**PETITION** is hereby made for an extension to cover the date this  
response is filed for which the requisite fee is enclosed (1 month \$120;  
2 months \$460; 3 months \$1,050; 4 months \$1,640, 5 months \$2,230 \$ 0.00

If Terminal Disclaimer enclosed, add Rule 20(d) Official Fee (\$130.00) \$ 0.00

Other: Petition for Revival of an Application for Patent Abandoned Unintentionally  
Under 37 CFR 1.137 (b) and Third Revised Appeal Brief \$ 1540.00

**SUBTOTAL:** \$ 1540.00

If "small entity" verified statement filed ☐ previously,  
☐ herewith, enter one-half (1/2) of subtotal and subtract - \$ 0.00

TOTAL FEE ENCLOSED: \$ 1540.00

The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof. This statement does not authorize charge of the issue fee in this case.

**DORITY & MANNING ATTORNEYS AT LAW, P.A.**

ADDRESS:

Post Office Box 1449  
Greenville, SC 29602 USA  
Customer ID No.: 22827  
Telephone: (864) 271-1592  
Facsimile: (864) 233-7342

By: Steven R. LeBlanc Reg. No: 47,740


Signature: 

Date: November 6, 2007

I hereby certify that this correspondence and all attachments and any fee(s) are being electronically transmitted via the internet to the U.S. Patent and Trademark Office using the Electronic Patent Filing System on November 6, 2007.

Denise Bulkeley

(Typed or printed name of person transmitting documents)

  
(Signature of person transmitting documents)